

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has objected to the drawings. FIGS. 2A and 2B have been amended with a new sheet of drawings featuring new FIGS. 2A and 2B.

The Examiner has objected to the specification. The specification has been amended to overcome this rejection.

The Examiner has rejected claims 1, 2, 7, 9 and 10 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 1,471,954 to Greenway. Claim 1 has been amended to overcome this rejection. In particular, paragraph B discloses "at least one elongated exposed indentation extending along said base for receiving and presenting insecticide".

The applicant believes that claim 1 as amended is now patentable over the above cited reference.

In particular, *Greenway* discloses a cylindrical shell wherein the cylindrical shell has a central hole or tube that is essentially not an elongated exposed indentation. However, to further distinguish claim 1 from *Greenway*, the applicant has amended claim 1 such that claim 1 now recites an elongated exposed indentation extending along the base for receiving and presenting insecticide. The elongated exposed indentation is shown in the drawings. In addition, the term crevasse was equated to the term elongated indentation in the summary on page 2 line 8. Therefore, the applicant believes that there is sufficient support for this type amendment. Because *Greenway* does not show an elongated exposed indentation along the base, the applicant believes that claim 1, as amended, is written to overcome this rejection. In addition, the applicant believes that the remaining claims 2, 7, 9 and 10 which depend from claim 1 are also patentable over the above cited reference.

The Examiner has rejected claims 1, 2, 7 and 9 under 35 U.S.C. 102(b) as being anticipated by *Kristman*. The Examiner states that *Kristman* discloses a base A and B, at least one crevasse portion A and plurality protrusions 3. The applicant believes that claim 1, as amended, is not anticipated by *Kristman*. In particular,

Kristman discloses a covered dish shaped container whereas in the present invention claim 1 discloses an elongated exposed indentation extending along the base. In particular, a dish is not an elongated indentation. In addition, since this dish is covered by cover B it is not exposed either. Therefore, the applicant believes that claim 1, as amended, and dependent claims 2, 7 and 9 are patentable over the above cited reference.

The Examiner has rejected claims 1, 2, 7, 9 and 10 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 1,744,022 to *Davis*. The applicant believes that claim 1, as amended, has been written to overcome this rejection. In particular, *Davis* discloses a poison container that is hung from a tree. This poison container is essentially a cover with a series of holes. The Examiner states that the open portion of base 2 is essentially a crevasse. Claim 1 has been amended such that crevasse has been changed to elongated exposed indentation extending along the base. Essentially the hollow portion of base 2 or the opening is not exposed because base 2 is a cover covering the poison inside. In addition, these openings designated as 12' in FIG. 6 and as 12 in FIG. 2 are not elongated either, instead these holes are essentially triangular. Therefore, the applicant believes that claim 1 and dependent claims

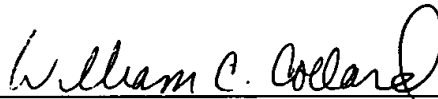
2, 7, 9 and 10 which depend from claim 1 are patentable over the above cited reference.

Claims 1 and 7 have been amended. Claims 1, 2, 7, 9 and 10 remain in the application. In addition, the specification and the drawings have been amended to overcome the Examiner's rejection.

Accordingly, the applicant respectfully requests early allowance of the remaining claims.

Respectfully submitted,

James J. CONROY



William C. Collard, Reg. No. 38,411

Allison C. Collard, Reg. No. 22,532

Edward R. Freedman, Reg. No. 26,048

COLLARD & ROE, P.C.

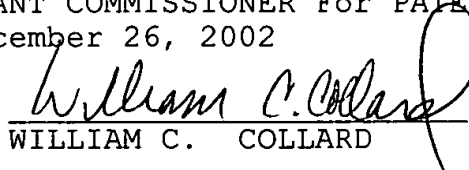
Attorney for Applicants

1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

WCC/mh

Enclosure: Marked-up Copy of Drawings
 Marked-up Copy of Specification
 Marked-up Copy of Amended Claims

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ASSISTANT COMMISSIONER For PATENTS, Washington, D.C. 20231, on December 26, 2002


WILLIAM C. COLLARD

R:\William\C\conroy\AMENDMENT.wpd



SERIAL NO. 10/034,041
EXAMINER: D. ARK
GROUP: 3643
CONF NO.: 1821

MARKED UP COPY OF
SPECIFICATION

Please amend the paragraph starting on page 4 line 5 as follows:

FIG. 2A is a [front] side view of the first embodiment of the invention;

Please amend the paragraph starting on page 4 line 7 as follows:

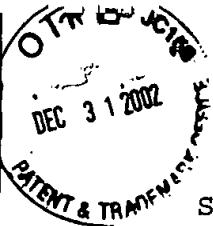
FIG. 2B is a front view of the first embodiment of the invention [receiving an insecticide injection];

Please amend the paragraph on page 4 line 11 as follows:

FIG. 2D is a [cross sectional] side view of the fifth embodiment of the invention;

Please amend the paragraph starting on page 4 line 13 as follows:

RECEIVED
JAN 03 2003
GROUP 3600



SERIAL NO. 10/034,041
EXAMINER: D. ARK
GROUP: 3643
CONF NO.: 1821

MARKED UP COPY OF
SPECIFICATION

FIG. 3A shows a [perspective] cross-sectional view of the device having an inner chamber; and

FIG. 3B shows a [cross sectional] side view [taken along the line 3-3] of the embodiment in FIG. 3A.

RECEIVED
JAN 03 2003
GROUP 3600



SERIAL NO. 10/034,041
EXAMINER: D. ARK
GROUP: 3643
CONF NO.: 1821

MARKED UP COPY OF
AMENDED CLAIMS

1. (Amended) A device for receiving and presenting
insecticide comprising:

a) a base;

b) at least one [crevasse] elongated exposed indentation
extending along said base for receiving and presenting
insecticide;

c) a plurality of protrusions extending from said base, said
protrusions keeping said base off of an adjacent surface so that
a plurality of insects have access to the insecticide.

7. (Amended) The device as in claim 1, wherein said base
is elongated and has a longitudinal axis wherein said at least
one [crevasse] elongated exposed indentation extends along said
longitudinal axis.

RECEIVED
JAN 03 2003
GROUP 3600



Not Approved
DWA 6/12/03

FIG. 2A

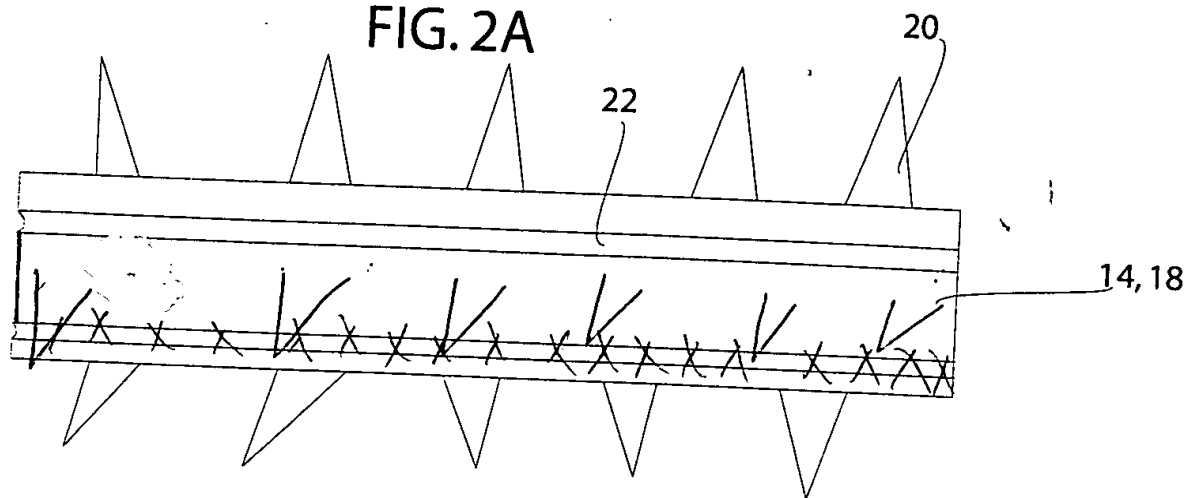


FIG. 2B

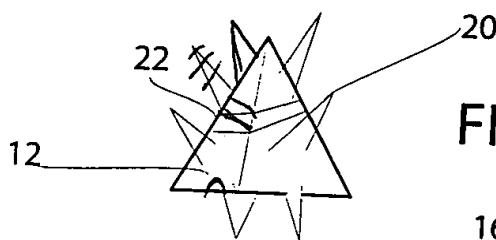


FIG. 2C

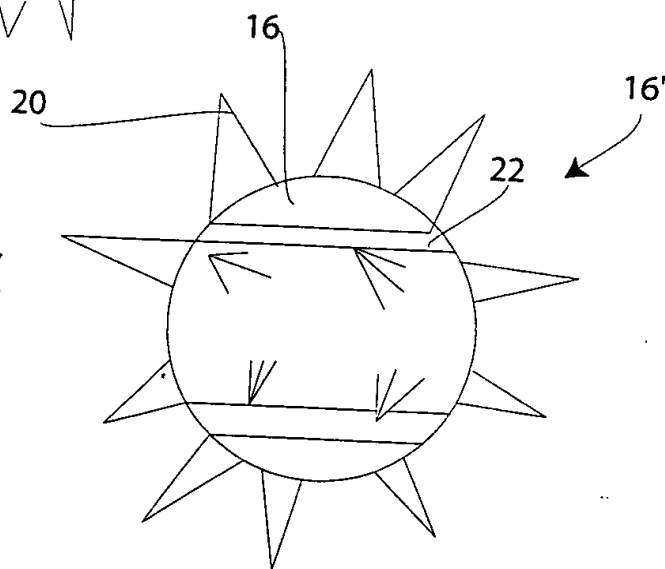


FIG. 2D

